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17 | Attorneys for Defendants  
DELL, INC. et al.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

22 VIVIAN FIORI, and ROGGIE TRUJILLO, ) Case No. 5:09-CV-01518 JW  
23 Plaintiffs, ) *[Proposed]*  
24 v. ) STIPULATION AND [PROPOSED] ORDER  
25 DELL INC., et al., ) CONTINUING FURTHER CASE  
Defendants. ) MANAGEMENT CONFERENCE FROM  
 ) NOVEMBER 16, 2009 TO NOVEMBER 23,  
 ) 2009.  
26 )  
27 )

1 Pursuant to Civ. L. R. 6-2 the parties, by their undersigned counsel, hereby stipulate and request  
2 that the Court Order that the Further Case Management Conference currently scheduled for November  
3 16, 2009 at 10:00 a.m. be continued until November 23, 2009 at 10:00 a.m. and that a Joint Case  
4 Management Statement be filed on November 13, 2009. In its October 15, 2009 Order Granting Dell's  
5 Motion to Dismiss with Leave to Amend and Denying Qualxserv's Motion to Dismiss [Dkt. No. 68] the  
6 Court scheduled a Further Case Management conference for November 16, 2009, with a Joint Case  
7 Management Conference Statement due on November 6, 2009. Dell's lead counsel has a previously-  
8 scheduled court appearance in another case that conflicts with the conference on November 16, and has  
9 therefore requested that the conference be continued to November 23, 2009. Plaintiff has agreed,  
10 subject to court approval. The parties therefore agree the Further Case Management Conference should  
11 be continued until November 23, 2009, if convenient for the Court, and to file their Joint Case  
12 Management Conference Statement on or before November 13, 2009.

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14 Respectfully Submitted,

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16 Dated: November 4, 2009 ALSTON + BIRD LLP

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18 By: /s/ Sean P. DeBruine  
Sean P. DeBruine

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20 Attorneys for Defendants  
DELL, INC. et al.

21 Dated: November 4, 2009 STRANGE & CARPENTER

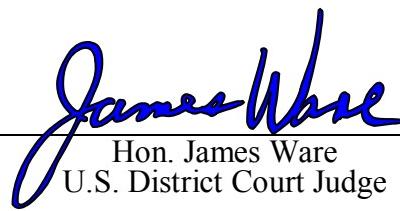
22  
23 By: /s/ Gretchen Carpenter  
Gretchen Carpenter

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25 Attorneys for Plaintiffs  
VIVIAN FIORI and ROGGIE TRUJILLO

1 PURSUANT TO STIPULATION IT IS SO ORDERED:

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4 Dated: November 12, 2009

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Hon. James Ware  
U.S. District Court Judge

1                   **FILER'S ATTESTATION**

2                   Pursuant to General Order No. 45, Section X (B) regarding signatures, I, Sean P.  
3 DeBruine, attest that concurrence in the filing of this document has been obtained from Gretchen  
4 Carpenter.

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/s/ Sean P. DeBruine

Sean P. DeBruine

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